

To: Card, Joan[Card.Joan@epa.gov]; O'Connor, Darcy[oconnor.darcy@epa.gov]; Garcia, Bert[Garcia.Bert@epa.gov]
Cc: Morales, Monica[Morales.Monica@epa.gov]; Beeler, Cindy[Beeler.Cindy@epa.gov]
From: Rothery, Deirdre
Sent: Wed 5/18/2016 1:46:56 PM
Subject: RE: U&O FIP - letter from Governor Herbert to Gina McCarthy, dated May 2, 2016
Utah Gov 16-000-7894.pdf

Good morning everyone,

OP has been working with their economists in reviewing the U&O FIP. I left a voice mail for my OP contact on Monday, late afternoon. He called back on Tuesday and recommended that I send an email to Bruce Schillo (technical contact in OP currently reviewing the FIP). I sent an email to Bruce on Tuesday requesting a call to further discuss their cost comments with the region and the OAQPS contact we worked with on the cost analysis. Bruce left me a voice mail yesterday afternoon indicating, based on OP's review, the U&O FIP exceeds the single year cost threshold of \$100 million. Bruce pointed to the Petroleum Refining Rule, promulgated in September, as an example. We are in the process of setting up a call to further discuss OP's findings, hopefully that will take place this week.

In the meantime, a letter was sent from Governor Herbert to Gina McCarthy, dated May 2, 2016. I am attaching the letter in case you have not already seen it. My understanding is that OAR has requested that OP hold off on moving the FIP forward due to the letter.

Let me know if you have any questions. Thanks, Dee

From: Rothery, Deirdre
Sent: Thursday, May 12, 2016 8:11 AM
To: Card, Joan <Card.Joan@epa.gov>; O'Connor, Darcy <oconnor.darcy@epa.gov>; Garcia, Bert <Garcia.Bert@epa.gov>
Cc: Morales, Monica <Morales.Monica@epa.gov>; Beeler, Cindy <Beeler.Cindy@epa.gov>
Subject: RE: U&O FIP

Good morning everyone,

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Ex. 5 - Deliberative Process

Thanks,

Dee

From: Rothery, Deirdre

Sent: Thursday, May 05, 2016 8:49 AM

To: Card, Joan <Card.Joan@epa.gov>; O'Connor, Darcy <oconnor.darcy@epa.gov>; Garcia, Bert <Garcia.Bert@epa.gov>

Cc: Morales, Monica <Morales.Monica@epa.gov>; Beeler, Cindy <Beeler.Cindy@epa.gov>

Subject: RE: U&O FIP

Hi everyone,

I reached out to OP today to check on the status of their review of the FIP. Their comments so far are on the Regulatory Flexibility Act (RFA) section related to some of the template language we used, which needs to be updated. We are working on addressing the RFA comments and will send them a revised version today. OP has not completed their review, however, they were hopeful based on what they had reviewed thus far, that they would be able to approve and transmit the FIP to OMB early next week. As a reminder, OP has until 5/17 to complete their review. I will update you as I hear more from OP regarding their review and any additional comments. Let me know if you have any questions.

Thanks,

Dee

From: Rothery, Deirdre
Sent: Tuesday, May 03, 2016 8:48 AM
To: Card, Joan <Card.Joan@epa.gov>; O'Connor, Darcy <oconnor.darcy@epa.gov>; Schuller, Jennifer <Schuller.Jennifer@epa.gov>
Cc: Morales, Monica <Morales.Monica@epa.gov>; Beeler, Cindy <Beeler.Cindy@epa.gov>
Subject: RE: U&O FIP - timing

Hi everyone,

Sorry for the multiple emails. I received a question about the schedule moving forward, so I thought I would send you all the schedule as a reminder of where we are with this rule. The 5/13 date in the table was based on when OAR thought the FIP might go to OMB, so that is used as the start date in the table below. However, OP has up to 10 days to review the rule, so with the rule going to OP today, that would push the schedule out another 5 days, OP will have until 5/17 to review the rule. Also, please note, OMB may take up to 4 months to review a rule, the estimates below are in hopes we can expedite this rule.

Appreciate any and all help to expedite this rule in any way we can. Let me know if you have any questions. Thanks, Dee

Here is a best estimate of what we are looking at if OMB takes 45 days or 90 days to review the FIP:

	45 days at OMB	90 days at OMB
Transmit to OMB	5/13/2016 (45 days)	5/13/2016 (90 days)
Complete OMB Review of Proposed FIP	6/27/2016 (2 weeks)	8/11/2016 (2 weeks)
Transmit Proposed FIP to OFR	7/11/2016 (45 days)	8/25/2016 (45 days)
Complete 45 Public Comment Period & Hearing	8/25/2016 (2 months)	10/9/2016 (2 months)
Complete Responses to Public Comments	10/25/2016	12/9/2016

Complete HQ Concurrence	(2 weeks) 11/8/2016	(2 weeks) 12/23/2016
Transmit to OP then to OMB	(2 weeks) 11/22/2016	(2 weeks) 1/6/2017
Complete OMB Review of Proposed FIP	(45 days) 1/6/2016	(90 days) 4/6/2017
Obtain Administrator Signature on Final FIP	(2 weeks) 1/20/2017	(2 weeks) 4/20/2017
Transmit Final FIP to OFR	(2 days) 1/25/2017	(2 days) 4/25/2017
Publish in FR	(2 weeks) 2/8/2017	(2 weeks) 5/9/2017

From: Rothery, Deirdre

Sent: Tuesday, May 03, 2016 8:12 AM

To: Card, Joan <Card.Joan@epa.gov>; O'Connor, Darcy <oconnor.darcy@epa.gov>; Schuller, Jennifer <Schuller.Jennifer@epa.gov>

Cc: Morales, Monica <Morales.Monica@epa.gov>; Beeler, Cindy <Beeler.Cindy@epa.gov>

Subject: RE: U&O FIP

Importance: High

Good morning everyone,

I just heard that Janet has signed off on the U&O FIP. OAR is packaging the rule and sending it over to OP today. Let me know if you have any questions.

Thanks,

Dee

From: Rothery, Deirdre

Sent: Friday, April 29, 2016 7:52 AM

To: Card, Joan <Card.Joan@epa.gov>; O'Connor, Darcy <oconnor.darcy@epa.gov>; Schuller,

Jennifer <Schuller.Jennifer@epa.gov>

Cc: Morales, Monica <Morales.Monica@epa.gov>; Beeler, Cindy <Beeler.Cindy@epa.gov>

Subject: RE: U&O FIP

Hi everyone,

I just heard from OAR that they will be passing the RLSO version (which addressed Janet's most recent comments) of the FIP to Janet today and it should hopefully be heading to OP on Monday. I am not in the office today, but I will be monitoring email periodically in case anything comes up. Let me know if you have any questions.

Thanks,

Dee

From: Rothery, Deirdre

Sent: Thursday, April 28, 2016 4:43 PM

To: Card, Joan <Card.Joan@epa.gov>; O'Connor, Darcy <oconnor.darcy@epa.gov>; Schuller, Jennifer <Schuller.Jennifer@epa.gov>

Cc: Morales, Monica <Morales.Monica@epa.gov>; Beeler, Cindy <Beeler.Cindy@epa.gov>

Subject: RE: U&O FIP

Hi everyone,

I just sent a RLSO version of the FIP to OAR addressing all of Janet's comments. Once OAR is ok with how we addressed the comments, the FIP will move to OP. I will let you know as soon as I hear an update on the timing of sending this to OP. OP has up to 10 days for their review before it heads to OMB. Let me know if you have any questions.

Thanks,

Dee

From: Rothery, Deirdre

Sent: Thursday, April 28, 2016 12:06 PM

To: Card, Joan <Card.Joan@epa.gov>; O'Connor, Darcy <oconnor.darcy@epa.gov>; Schuller, Jennifer <Schuller.Jennifer@epa.gov>

Cc: Morales, Monica <Morales.Monica@epa.gov>; Beeler, Cindy <Beeler.Cindy@epa.gov>

Subject: U&O FIP

Hi there,

I just received Janet's comments on the FIP. She has comments on only 15 pages (of the 133 in the document). The note on the top of the document says "Region 8 – Good job on this! I noted just a few things in the preamble." Looking through these comments quickly, I think they will be fairly easy to address, most are language edits. I am attaching her comments in case you are interested. We will work on addressing these edits and then moving the document to OP. Let me know if you have any questions.

Thanks,

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